

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

MARCUS HALIBURTON  
ADC #132635

PETITIONER

VS.

5:05CV00306 WRW/JTR

LARRY NORRIS, Director,  
Arkansas Department of Corrections

RESPONDENT

**ORDER**

Respondent has filed a Response to Petitioner's § 2254 habeas Petition wherein he argues that the Petition should be dismissed because: (1) Petitioner is procedurally barred from raising his claims due to failure to properly raise them in state court; (2) the Arkansas Supreme Court's dismissal of Petitioner's Rule 37 appeal was based on an independent and adequate state ground, thus barring federal habeas review; and (3) Petitioner's claims alternatively fail to state federal constitutional violations. (Docket entry #5.) The Court concludes that a Reply from Petitioner would be helpful to the resolution of this case.

IT IS THEREFORE ORDERED THAT Petitioner shall file, **on or before March 10, 2006**, a Reply addressing the arguments raised in the Response (docket entry #5.)

Dated this 7<sup>th</sup> day of February, 2006.

  
UNITED STATES MAGISTRATE JUDGE